
**Department of Energy
National Nuclear Security Administration
Finding of No Significant Impact
for Proposed Corrective Measures at
Material Disposal Area H within Technical Area 54 at
Los Alamos National Laboratory,
Los Alamos, New Mexico**

**U. S. Department of Energy
National Nuclear Security Administration
Los Alamos Site Office
528 35th Street
Los Alamos, NM 87544**

**DEPARTMENT OF ENERGY,
NATIONAL NUCLEAR SECURITY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT**

**Proposed Corrective Measures at Material Disposal Area H within
Technical Area 54, Los Alamos National Laboratory,
Los Alamos, New Mexico**

FINAL ENVIRONMENTAL ASSESSMENT: The *Environmental Assessment for Proposed Material Disposal Area H within Technical Area 54 at Los Alamos National Laboratory, Los Alamos, New Mexico* (DOE/EA-1464) (attached) provides sufficient evidence and analysis to determine that a Finding Of No Significant Impact is appropriate for the Proposed Action. The EA documents the evidence and analysis in the following chapters: 1, Purpose and Need; 2, Description of Proposed Action and Alternatives; 3, Affected Environment, and 4, Environmental Consequences of Implementing the Proposed Action and the No Action Alternative.

Analyses performed in the subject EA allow the National Nuclear Security Administration to conclude that potential adverse environmental effects of the Proposed Action, under normal conditions, would be minimal. Engineering and administrative controls or considerations that serve to lessen any potential for adverse environmental effects have been incorporated as integral features of the Proposed Action Alternative. Examples of this type of mitigating features includes the use of Best Management Practices and dust suppression methods to prevent or minimize surface soil erosion and sediment migration where soil disturbance is unavoidable; site fencing to limit unauthorized site access; modification of utility lines in the area to add automatic shutoff valves and pressure sensors. Specific mitigating features that were developed for each of the five potential corrective measure options include: use of site surface re-contouring; use of remote handled devices and equipment; and the possible use of an inert atmosphere (using liquid nitrogen). These actions are discussed in the EA document within Chapter 2.

The EA considered the type of potential accidents that might occur from construction activities and operational hazards, as well as possible cumulative effects from implementing the Proposed Action together with past, present and reasonably foreseeable future actions. Site work would include inherently risky activities; waste removal operations, in particular, could create additional opportunities for worker accidents to occur.

PREDECISIONAL DRAFT REVIEW & COMMENT: On March 22, 2004, the Department of Energy, National Nuclear Security Administration invited review and comment on the predecisional draft EA from the State of New Mexico; four nearby American Indian Tribes: Cochiti, Jemez, Santa Clara and San Ildefonso (sometimes referred to as the four Accord Pueblos

because each tribe has entered into an accord with the Department of Energy); the Pueblo of Acoma; and the Mescalero Apache Tribe. The National Nuclear Security Administration also made the predecisional draft EA available to the general public at the same time it was provided to the State and Tribes for review and comment. The general availability of the predecisional draft EA to the public was accomplished by placing it in the Department of Energy Public Reading Rooms located within the Los Alamos National Laboratory's Community Relations Office and Reading Room, and in the University of New Mexico's Zimmerman Library in Albuquerque. Additionally, over 30 local stakeholder groups and individuals that have identified themselves as interested parties with regards to LANL activities were notified by letter of the availability of the predecisional draft EA on March 22, 2003. Notice of the availability of the predecisional draft EA for review was also published in three local newspapers. Copies of the predecisional draft EA were provided to all interested parties for their review. The review and comment period was 30 days long and ended April 22, 2004.

Three parties provided comments on the predecisional draft EA, including the State of New Mexico and the Pueblo of San Ildefonso. Comments received were addressed through changes to the Final EA, and through individual comment response letters. Copies of the FONSI and final EA will be sent to each of the commentors.

AGENCY CONSULTATIONS: NNSA determined that the corrective measure activities associated with implementing the Proposed Action would not affect individual threatened or endangered species that may be present at LANL or their critical habitat. No consultation is required through the U.S. Fish and Wildlife Service under the provisions of section 7 of the Endangered Species Act of 1973 (16 USC 1531 *et seq.*), unless new species were to be listed over the period of time required to implement all of the activities that are part of the Proposed Action.

The Proposed Action's construction activities would not affect recorded historic or prehistoric resources. No consultation with the New Mexico State Historic Preservation Officer (SHPO) pursuant to section 106 requirements of the National Historic Preservation Act is required, although the SHPO will be informed of NNSA's determination of affect pursuant to the provisions of the *Programmatic Agreement for the Management of Historic Properties at Los Alamos National Laboratory, NM*.

FINDING: The United States Department of Energy, National Nuclear Security Administration finds that there would be no significant impact from proceeding with its proposal to implement the proposed corrective measures at Material Disposal Area H within Technical Area 54 at Los Alamos National Laboratory, as described in the Proposed Action description within the subject Environmental Assessment. This finding is based on the Environmental Assessment, which analyzes the consequences of the relevant issues of environmental concern. The Department of Energy, National Nuclear Security Administration makes this Finding of No Significant Impact pursuant to the National Environmental Policy Act of 1969 [42 U.S.C. 4321 *et seq.*], the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act [40 CFR 1500] and the Department of Energy National

Environmental Policy Act Implementing Procedures [10 CFR 1021]. Therefore, no environmental impact statement is required for this proposal.

Signed in Los Alamos, New Mexico this 14th day of June, 2004.

A handwritten signature in black ink, appearing to read 'Edwin L. Wilmot', with some additional scribbles below the name.

Edwin L. Wilmot
Manager
Los Alamos Site Office

FOR FURTHER INFORMATION: For further information on this proposal, this Finding Of No Significant Impact (FONSI), or the Department of Energy, National Nuclear Security Administration's National Environmental Policy Act (NEPA) review program concerning proposals at Los Alamos National Laboratory, please contact:

Elizabeth Withers, NEPA Compliance Officer

Los Alamos Site Office

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National Nuclear Security Administration

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Copies of this FONSI (with the Environmental Assessment attached) will be made available for public review at the DOE Public Reading Room within the Los Alamos National Laboratory Community Relations Office, 1619 Central Avenue, Los Alamos, New Mexico, 87544 at (505) 665-4400 or (800) 508-4400. Copies will also be made available within the DOE Public Reading Room at the Zimmerman Library, University of New Mexico, Albuquerque, New Mexico, 87131 at (505) 277-5441.